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MAR 15 2004

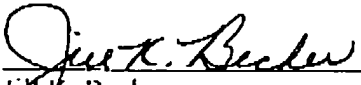
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**OFFICIAL**

Applicant: Douglas G. Murray Confirmation No.: 6548  
Serial No.: 09/442,909 Group Art Unit: 2154  
Filed: November 18, 1999 Examiner: Black, Linh  
Title: INFORMATION GATHERING FACILITY EMPLOYING  
DICTIONARY FILE CONTAINING MULTIPLE INQUIRIES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Linh Black & Examiner John Breene, Group Art Unit 2177, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 746-7239, on March 15, 2004.

  
Jill K. Becker

Date of Signature: March 15, 2004.

To: Examiner Linh Black  
Examiner John Breene  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Request to Withdraw Abandonment

Dear Sir:

On February 23, 2004, applicant received a Notice of Abandonment (copy attached) for applicant's alleged failure to timely respond to the Office Action letter mailed on July 8, 2003. This assertion is incorrect, and the application should not be abandoned.

In support of applicant's position, attached is a copy of applicant's prior mailed Response dated September 30, 2003. As noted on page 1 of the Response, the Response was filed in reply to the Office Action mailed July 8, 2003.

FN999088


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The September 30, 2003 Response included a Certificate of Mailing on both the amendment and the accompanying transmittal letter. The papers were accompanied by a postcard identifying the application, the amendment, and the amendment transmittal letter. However, a stamped copy has not been received back from the U.S. Patent Office. Notwithstanding this, applicant respectfully submits that the signed Certificates of Mailing clearly evidence applicant's timely filing of a reply to the July 8, 2003 Office Action.

Based on the foregoing, applicant respectfully submits that the Notice of Abandonment mailed on February 18, 2004 was issued in error and respectfully requests that the abandonment be withdrawn and that the case be reinstated.

Should any questions arise regarding this correspondence, please contact applicant's undersigned representative.

Respectfully submitted,

  
Kevin P. Radigan  
Attorney for Applicants  
Registration No.: 35,670

Dated: March 15, 2004.

HESLIN ROTHENBERG FARLEY & MESITI P.C.  
5 Columbia Circle  
Albany, New York 12203-5160  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579

EN999088

- 2 -

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HESLIN ROTHENBERG

TEL: 518 452 5579

P. 004

0827.066



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,009	11/18/1999	DOUGLAS GEORGE MURRAY	EN999083	6548

7590

02/18/2004

KEVIN P RADIGAN ESQ  
HESLIN & ROTHENBERG P C  
5 COLUMBIA CIRCLE  
ALBANY, NY 12203-160

EXAMINER

BLACK, JENN

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED 4/18/2004

REC'D  
FEB 23 2004

**Notice of Abandonment**

Application No.

09/442,909

Applicant(s)

MURRAY, DOUGLAS  
GEORGE

Examiner

LINH BLACK

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

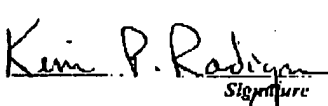



1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 08 July 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:  
 Examiner called Applicant's Representative on February 12, 2004 to check on the status of the case and no returned call has been received.

  
 GRETA ROBINSON  
 PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  
 U.S. Patent and Trademark Office  
 PTO-1432 (Rev. 04-01)

Notice of Abandonment

Applicants: Douglas G. Murray  
Serial No.: 09/442,909 Filing Date: 11/18/99  
Title: INFORMATION GATHERING FACILITY EMPLOYING DICTIONARY FILE  
CONTAINING MULTIPLE INQUIRIES  
\_\_\_\_ Patent App: Spec. \_\_\_\_ pps., \_\_\_\_ Clms. \_\_\_\_ pps., Abs. \_\_\_\_ pg.,  
Drawings 1 sheets: x Formal, \_\_\_\_ Informal  
\_\_\_\_ Declaration \_\_\_\_ pps.; \_\_\_\_ Signed, \_\_\_\_ Unsigned  
\_\_\_\_ Assignment \_\_\_\_ pps.; \_\_\_\_ Assignment Recordation \_\_\_\_ pps.  
\_\_\_\_ IDS \_\_\_\_ pps.; \_\_\_\_ IDC \_\_\_\_ pps.; \_\_\_\_ Refs;  
\_\_\_\_ Statement of Relevance \_\_\_\_ pps.  
\_\_\_\_ Verified Statement Claiming Small Entity \_\_\_\_ pps.  
\_\_\_\_ Check \$ \_\_\_\_  
x Transmittal Letter 1 pps.; \_\_\_\_ duplicate  
x Amendment 23 pps.; \_\_\_\_  
\_\_\_\_ Extension of Time \_\_\_\_ pps.; \_\_\_\_ duplicate  
x Certificate of Mailing by Express Mail September 30, 2003  
Mailed on September 30, 2003  
Docket No.: EN999088 File No.: 0827.066

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>EN999088</b>							
Applicant(s): <b>Douglas G. Murray</b>											
Serial No. <b>09/442,909</b>	Filing Date <b>11/18/99</b>	Examiner <b>Black, Linh</b>	Group Art Unit <b>2154</b>								
Invention: <b>INFORMATION GATHERING FACILITY EMPLOYING DICTIONARY FILE CONTAINING MULTIPLE INQUIRIES</b>											
<u>TO THE COMMISSIONER FOR PATENTS:</u>											
Transmitted herewith is an amendment in the above-identified application.											
The fee has been calculated and is transmitted as shown below.											
<b>CLAIMS AS AMENDED</b>											
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE						
TOTAL CLAIMS	67	70	0	x \$18.00	\$0.00						
INDEP. CLAIMS	8	8	0	x \$84.00	\$0.00						
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00						
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>						
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>09-0457 (IDM)</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.											
 Kevin P. Radigan, Esq. Registration No.: 31,789 Heslin Rothenberg Parley & Mesiti P.C. 5 Columbia Circle Albany, New York 12203-5160 Telephone: (518) 452-5600 Facsimile: (518) 452-5579			Dated: September <u>30</u> , 2003								
CC:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">           I certify that this document and fee is being deposited on <u>9/30/03</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.         </td> </tr> <tr> <td colspan="2" style="text-align: center;">             Signature of Person Mailing Correspondence         </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <b>Kevin P. Radigan</b>            Typed or Printed Name of Person Mailing Correspondence         </td> </tr> </table>			I certify that this document and fee is being deposited on <u>9/30/03</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		 Signature of Person Mailing Correspondence		<b>Kevin P. Radigan</b> Typed or Printed Name of Person Mailing Correspondence	
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 Signature of Person Mailing Correspondence											
<b>Kevin P. Radigan</b> Typed or Printed Name of Person Mailing Correspondence											

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